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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/786,749 | 02/25/2004 | Christopher E. Bales | BEAS-01372US0 | 2989 |

23910 7590 03/16/2007

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| EXAMINER | |
|---|---|
| KEATON, SHERROD L | |
| ART UNIT | PAPER NUMBER |
| 2109 | |

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|---|---|---|
| 3 MONTHS | 03/16/2007 | PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/786,749 | BALES ET AL. | |
| | Examiner | Art Unit | |
| | sherrod keaton | 2109 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *2-25-2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *25 February 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *See Continuation Sheet*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :9/04, 10/04,1/05,2/05,3/05,1/06, 2/06, 3/06 7/06,8/06,11/06 12/15/06, 12/22/06, 2/07 .

## DETAILED ACTION

This action is in response to the original filing of February 25, 2004. Claims 1-23 are pending and have been considered below:

### *Specification*

1. The disclosure is objected to because of the following informalities: The serial number of the related application cited in [0050] is missing. Appropriate correction is required.

### *Claim Objections*

2. Claims 11-16 are objected to because of the following informalities: Claim 11 is independent and references a tool, but then cites a method comprising of steps. Claim 12- 16 also refer back to the method in Claim 11 instead of the tool. Appropriate correction is required.

### *Claim Rejections - 35 USC § 101*

3. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 23 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

**Claim 23** is a computer data signal embodied in a transmission medium. A data signal in a transmission medium does not fall within at least one of the four categories of patent eligible subject matter recited in 35 U.S.C. 101 (process, machine, manufacture, or composition of matter).

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ng (US 6285366 B1) in further view of Brassard (US 6769095 B1).

**Claims 1, 17, and 23:** Ng discloses a method, interactive tool (Column 4, Lines 49-56), machine readable medium and computer data signal embodied in a transmission medium (Column 2, Lines 29-35) for interactively manipulating a graphical hierarchy including a plurality nodes comprising:

**a.)** Selecting a second node in the hierarchy, different from the first node (Column 4, Lines 11-48), (Column 10, Lines 56-67);

**b.)** providing view of hierarchy where second node is root node (Column 2, Lines 51-

58); Ng allows multiple nodes to be displayed, and also allows for different selection of launch nodes which can further display more of a hierarchy tree, launch a website, or display further information about the node.

However Ng does not explicitly disclose:

**c.)** selection of one of the plurality of nodes can invoke a context sensitive editor for information associated with the node. But Brassard discloses a hierarchically structured control information editor and further discloses a context sensitive editor to create, modify and display hierarchically structured control information (Column 4, Lines 6-34). Therefore it would have obvious to one having ordinary skill at the time of the invention to add context sensitive editing with the hierarchy navigation system of Ng. One would have been motivated to allow the context sensitive editing to add to user-friendliness of the invention and would make the invention efficient allowing the user to have personalized text and visual indicators.

**Claim 2:** Ng discloses a method as in Claim 1 and further discloses restoring an original view of the hierarchy (Column 4, Lines 49-56).

**Claim 3:** Ng discloses a method as in Claim 1 and further discloses:

**a.)** selecting a third node in the hierarchy where third node is different from first and second (Column 4, Lines 11-48), (Column 10, Lines 56-67); and

**b.)** providing a view of the hierarchy where third node is root node (Column 2, Lines 51-

58).

**Claim 4:** Ng discloses a method as in Claim 3 and further discloses restoring a previous view of the hierarchy (Column 4, Lines 49-56).

**Claim 5:** Ng discloses a method as in Claim 1 and further discloses the plurality of nodes representing information pertaining to portal resources (Column 7, Lines 29-46).

**Claim 6:** Ng discloses a method as in Claim 1 and further discloses the view of the hierarchy being part of a portal administration tool (Column 6, Lines 45-54).

**Claim 7:** Ng discloses a method for interactively manipulating a graphical hierarchy including a plurality nodes comprising :

**a.)** Selecting a second node in the hierarchy, different from the first node (Column 4, Lines 11-48), (Column 10, Lines 56-67);

**b.)** providing view of hierarchy where second node is root node(Column 2, Lines 51-58); Ng allows multiple nodes to be displayed, and also allows for different selection of launch nodes which can further display more of a hierarchy tree, launch a website, or display further information about the node.

However Ng does not explicitly disclose:

**c.)** selection of one of the plurality of nodes can invoke a context sensitive editor for information associated with the node. But Brassard discloses a hierarchically structured

control information editor and further discloses a context sensitive editor to create, modify and display hierarchically structured control information (Column 4, Lines 6-34). Therefore it would have obvious to one having ordinary skill at the time of the invention to add context sensitive editing with the hierarchy navigation system of Ng. One would have been motivated to allow the context sensitive editing to add to user-friendliness of the invention and would make the invention efficient allowing the user to have personalized text and visual indicators.

**d.)** the plurality of nodes representing information pertaining to portal resources (Column 7, Lines 29-46);

**e.)** the view of the hierarchy being part of a portal administration tool (Column 6, Lines 45-54).

**Claim 8:** Ng discloses a method as in Claim 7 and further discloses restoring an original view of the hierarchy (Column 4, Lines 49-56).

**Claim 9:** Ng discloses a method as in Claim 7 and further discloses:

**a.)** selecting a third node in the hierarchy where third node is different from first and second (Column 4, Lines 11-48), (Column 10, Lines 56-67); and

**b.)** providing a view of the hierarchy where third node is root node (Column 2, Lines 51-58).

**Claim 10:** Ng discloses a method as in Claim 9 and further discloses restoring a previous view of the hierarchy (Column 4, Lines 49-56).

**Claim 11:** Ng discloses an interactive tool for interactively manipulating a graphical hierarchy including a plurality nodes comprising:

**a.)** ***means*** for selecting a first node in the hierarchy where the first node is different from a root node (Column 4, Lines 11-48), (Column 10, Lines 56-67);

**b.)** a (graphical user interface) GUI for providing a view of the hierarchy where first node is the root node (Column 2, Lines 51-58); Ng allows multiple nodes to be displayed, and also allows for different selection of launch nodes which can further display more of a hierarchy tree, launch a website, or display further information about the node.

However Ng does not explicitly disclose:

**c.)** selection of one of the plurality of nodes can invoke a context sensitive editor for information associated with the node. But Brassard discloses a hierarchically structured control information editor and further discloses a context sensitive editor to create, modify and display hierarchically structured control information (Column 4, Lines 6-34). Therefore it would have obvious to one having ordinary skill at the time of the invention to add context sensitive editing with the hierarchy navigation system of Ng. One would have been motivated to allow the context sensitive editing to add to user-friendliness of the invention and would make the invention efficient allowing the user to have personalized text and visual indicators.

**Claim 12:** Ng discloses a method as in Claim 11 and further discloses the GUI restoring an original view of the hierarchy (Column 4, Lines 49-56).

**Claim 13:** Ng discloses a method as in Claim 11 and further discloses the

**a.)** if the second node in the hierarchy is selected, the GUI can provide a view of the hierarchy wherein the second node is the root node (Column 7, Lines 29-46);
**b.)** second node is a child of the first node (Column 7, Lines 29-46). The launch node can be a child node of any of the available nodes.

**Claim 14:** Ng discloses a method as in Claim 13 and further discloses a GUI restoring a previous view of the hierarchy (Column 4, Lines 49-56).

**Claim 15:** Ng discloses a method as in Claim 11 and further discloses the plurality of nodes representing information pertaining to portal resources (Column 7, Lines 29-46).

**Claim 16:** Ng discloses a method as in Claim 11 and further discloses the view of the hierarchy being part of a portal administration tool (Column 6, Lines 45-54).

**Claim 18:** Ng discloses a method as in Claim 17 and further discloses instructions when executed will restore an original view of the hierarchy (Column 4, Lines 49-56).

**Claim 19:** Ng discloses as method as in Claim 17 comprising instructions causing system to:

a.) select a second node in the hierarchy where second node is a child node of the first (Column 4, Lines 11-26);

b.) provide a view of the hierarchy where second node is the root node(Column 7, Lines 29-46). Once launch nodes are activated they become the root node in the additional window.

**Claim 20:** Ng discloses a method as in Claim 19 and further discloses instructions when executed restoring a previous view of the hierarchy (Column 4, Lines 49-56).

**Claim 21:** Ng discloses a method as in Claim 17 and further discloses the plurality of nodes representing information pertaining to portal resources (Column 7, Lines 29-46).

**Claim 22:** Ng discloses a method as in Claim 17 and further discloses the view of the hierarchy being part of a portal administration tool (Column 6, Lines 45-54).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherrod Keaton whose telephone number is 571) 270-1697. The examiner can normally be reached on Mon. thru Fri. and alternating Fri. off (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JAMES MYHRE can be reached on 571) 270-1065. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SLK
3-05-07

James Myhre
Supervisory Patent Examiner